

OCT 11 2011

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Judge Benjamin H. Settle



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07-CV-00248-ORD

OCT 17 2011

ORIGINAL

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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OCT 17 2011

CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA  
BY DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNDER SEAL,

v. Plaintiff,

No. C07-0248 BHS

UNDER SEAL,

Defendants.

UNDER SEAL

ORIGINAL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
*ex rel.* MARSHALL S. HORWITZ, M.D.,

Plaintiff,

v.

AMGEN, INC. and DAVID C. DALE,

Defendants.

No. C07-0248 BHS

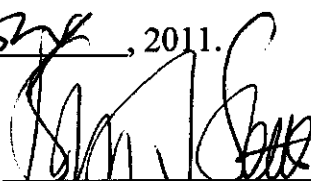
UNDER SEAL

ORDER

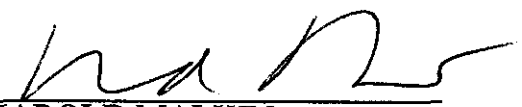
The United States has filed an *Ex Parte* Application for an Extension of time to Consider Election to Intervene, in which the government seeks a six (6) month extension of time, from October 18, 2011, up to and including April 19, 2012, in which to notify the Court whether it intends to intervene in this *qui tam* lawsuit. Such an extension of time is expressly contemplated by the False Claims Act, which provides that the United States "may, for good cause shown move the Court for extensions of time. . . ." 13 U.S.C. § 3730(b)(3). The Court finds that such good cause exists here.

Accordingly, it is hereby ORDERED that the United States shall have from October 18, 2011, to April 19, 2012, to notify the Court of its decision whether or not to intervene in this *qui tam* action. The Clerk shall otherwise maintain the Complaint and other filings under seal for the duration of the government's investigation, unless otherwise ordered by the Court.

1 DATED this 17 day of October, 2011.

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4 BENJAMIN H. SETTLE  
5 United States District Judge

6 Presented by:

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8 HAROLD MALKIN  
9 Assistant United States Attorney